

## Freedom of Information Act 2000

### Definition document for Elected Local Policing Bodies

This guidance gives examples of the kinds of information that we would expect Elected Local Policing Bodies in England and Wales (Police and Crime Commissioners and the Mayor's Office for Policing and Crime) to provide in order to meet their commitments under the model publication scheme.

We would expect these bodies to make the information in this definition document available unless:

- they do not hold the information;
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations exceptions, or its release is prohibited under another statute;
- the information is readily and publicly available from an external website; such information may have been provided either by the elected local policing body or on its behalf. The elected local policing body must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or,
- it would be impractical or resource-intensive to prepare the material for routine release.

The guidance is not meant to give an exhaustive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and public authorities should look to provide as much information as possible on a routine basis.

#### **Publishing datasets for re-use**

Public authorities must publish under their publication scheme any dataset they hold that has been requested, together with any updated versions, unless they are satisfied that it is not appropriate

to do so. So far as reasonably practicable, they must publish it in an electronic form that is capable of re-use.

If the dataset or any part of it is a relevant copyright work and the public authority is the only owner, the public authority must make it available for re-use under the terms of a specified licence. Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works.

The Datasets Code of Practice recommends that public authorities make datasets available for re-use under the [Open Government Licence](#).

The term 'dataset' is defined in section 11(5) of FOIA. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of FOIA. The ICO has published [guidance](#) on the dataset provisions in FOIA. This explains what is meant by "not appropriate" and "capable of re-use".

### **Who we are and what we do**

Organisational information, structures, locations and contacts.

We would normally expect information in this class to be for the current year only.

- **Structure of the Elected Local Policing Body (ELPB)**

Names and profiles of the Police and Crime Commissioner and Deputy Police and Crime Commissioner. Identity of Officers of the Elected Policing Body and senior staff (for the purposes of this document, those earning £58,200 per annum or above). Details of internal boards/committees and names of those who sit on them. (In relation to officers, senior staff and members of internal boards/committees, consent to disclosure of names may be refused if there is a legitimate reason.)

- **Staff structure of the Elected Local Policing Body**

Basic staff structure, such as organisational structure, and other details indicating the ELPB's administrative support.

- **Contact information**

Contact details, preferably by reference to name and address for correspondence.

- **Geographical area of operation**

- **General outline of responsibilities**
- **Appointment of independent custody visitors and associated arrangements**
- **Relationships with other bodies**

Partnership arrangements, or other joint arrangements, with statutory and non-statutory partners and relationships with other key bodies.

### **What we spend and how we spend it**

Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.

We would expect as a minimum that financial information for the current and previous two financial years should be available.

- **The budget of the ELPB (including the total amount allocated to the Police Force)**
- **Annual statement of the ELPB's accounts**
- **Policing precept and/or information on other sources of income, including grants**
- **Annual investment strategy**
- **Expenditure**

Details of items of expenditure over £500, including costs, supplier and transaction information (monthly).

- **Details of contracts currently being tendered**
- **Contracts**

We would normally only expect the ELPB to publish contracts and invitations to tender that exceed £10,000. A list of contracts under £10,000 should also be published, to include value, identity of the parties and purpose of the contract.

- **Expenses and allowances paid to or incurred by the ELPB and senior employed staff**

Details of the allowances and expenses that can be claimed or incurred. It should include the total of the allowances and expenses incurred by or paid to Police and Crime Commissioners and individual senior staff, by reference to categories. These categories should be produced in line with the ELPB's policies, practices and procedures and will be under headings like travel, subsistence and accommodation.

- **Pay and grading structure**

This may be provided as part of the ELPB structure and should, as a minimum, include senior staff salaries. The salaries should be stated in bands of £5,000. For those earning less than £58,200 per annum, levels of pay should be identified by salary range.

The 'pay multiple' – the ratio between the highest paid salary and the median average salary of the whole of the workforce.

- **Annual audit letter**
- **Financial audit reports**
- **Internal financial regulations and delegated authority**

### **What our priorities are and how we are doing**

Strategies and plans, performance indicators, audits, inspections and reviews.

We would expect information in this class to be available at least for the current and previous two years.

- **Police and Crime Plan or other strategic plan or local policing objectives set for the Police Force**
- **Annual Report**

This will comprise the report on the exercise of the ELPB's functions and the progress made in meeting the objectives in the police and crime plan.

- **Reports presented to the ELPB indicating service provision, performance assessments, operational assessments of the police force**
- **Information on the performance of the ELPB**
- **Reports by external inspectors and auditors**

This will also include responses to HMIC about inspection reports on the Police Force.

- **Statistical information provided to the ELPB**
- **Privacy impact assessments (in full or summary format)**

### **How we make decisions**

Decision making processes and records of decisions.

We would expect information in this class to be available at least for the current and previous two years.

- **Schedule of meetings open to the public**
- **Agendas and approved minutes of each public meeting and any other decision-making meetings**
- **Background papers for meetings open to the public**
- **Records of important decisions**

These will be records of decisions arising from the exercise of the ELPB's functions made either at meetings or elsewhere.

- **Procedures, facts and analyses of facts used for decision making**
- **Public consultations**

Details of consultation exercises, with access to the consultation papers. The results and outcomes of public policing consultation exercises and surveys.

### **Our policies and procedures**

Current written protocols, policies and procedures for delivering our services and responsibilities.

We would normally expect information in this class to be for the current year only.

- **Policies and procedures for the conduct of the ELPB's business**

Standing Orders, delegated powers, corporate governance, consent or governance framework, code of conduct, memoranda of understanding and similar information.

- **Policies and procedures for the provision of services**

This will include any policies and procedures for handling requests for information.

- **Policies and procedures for procurement and commissioning arrangements**
- **Policies and procedures about the employment of staff**

Where the ELPB employs its own staff, or shares staff with another body (for example, the police force), details of the policies in place. Where staff are employed through another body, reference to the policies of that body. If vacancies are advertised as part of recruitment policies, details of current vacancies will be readily available.

N.B. where the ELPB has written policies and procedures falling within the above three categories, there should be ready access to them. A number of policies, for example equality and diversity, health and safety and conduct, will cover both the provision of services and the employment of staff. If an ELPB has an Equality Scheme, this should be made available. A policy for outside business interests of senior employees and staff would be both a policy for the conduct of business and an employment policy.

Where procedures are developed in combination with other public authorities, these should also be available.

- **Complaints procedures**

This will include procedures for handling/overseeing complaints against the Chief Constable and the police force as well as complaints against the policing body. Complaints procedures will include those covering requests for information and operating the publication scheme.

- **Records management and personal data policies**

This will include information security policies, records retention, destruction and archive policies, and data protection (including data sharing) policies.

- **Fileplans** (or any other Business Classification Scheme used for the management of information – high level only)
- **Charging regimes and policies**

Details of any statutory charging regimes should be provided. Charging policies should include charges made for information routinely published. They should clearly state what costs are to be recovered, the basis on which they are made, and how they are calculated.

If the ELPB charges a fee for licensing the re-use of datasets, it should state in its guide to information how this is calculated and whether the charge is made under the Re-use Fees Regulations or under other legislation. It cannot charge a re-use fee if it makes the datasets available for re-use under the Open Government Licence.

### **Lists and registers**

We expect this to be information contained only in currently

maintained lists and registers.

- **Any information we are legally required to hold in publicly available registers**
- **Asset register**

We would not expect an ELPB to publish all details from all asset registers. We would, however, expect the location of public land and building assets and key attribute information that is normally recorded on an asset register to be available along with some other information from capital asset registers.

- **Information asset register**

If an ELPB has prepared an information asset register, it should publish the contents.

- **Registers of interests**
- **Register of gifts and hospitality (senior personnel)**

This should include details of gifts, given or received and details of any hospitality afforded and by which organisation. Gifts and hospitality declined should also be included.

- **Disclosure log**

Where an information disclosure log is produced indicating the information that has been provided in response to FOI requests it should be readily available. Disclosure logs are themselves recommended as good practice.

### **The services we offer**

Information about the services we offer, including leaflets, guidance and newsletters.

In general, this will be an extension of the first class of information, 'Who we are and what we do', as it will detail the services that the organisation provides. The starting point would normally be a list of the services that fall within the responsibility of the organisation, linked to details of those services.

- **Information about any services provided by the ELPB**
- **Leaflets and explanatory booklets**
- **Media releases**
- **Any services provided by the ELPB for which the ELPB is entitled to recover a fee, together with those fees**

